

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Mortesha Mouzon-Johnson,)
)
Plaintiff,) Civil Action No. 8:20-1870-RMG
)
vs.)
)
Kilolo Kijakazi, Acting Commissioner)
of Social Security,) **ORDER**
)
Defendant.)
)
)

This matter comes before the Court for judicial review of the final decision of the Commissioner of Social Security denying Plaintiff's application for Disability Insurance Benefits ("DIB"). The Magistrate Judge issued a Report and Recommendation (R & R) on October 13, 2021, recommending that the decision of the Commissioner be reversed and remanded to the agency because of the failure of the Administrative Law Judge ("ALJ") to provide an adequate explanation for rejecting the opinions of Plaintiff's treating physician, Dr. Carter. This included a failure to explain why Plaintiff's facial pain from Bell's Palsy and trigeminal neuralgia would not support Dr. Carter's opinion that her persistent pain would interfere with attention and concentration or why the finding of Plaintiff's normal extremity strength had anything to do with the presence of severe facial pain. The Magistrate Judge further noted the ALJ's statement he was "perplexed" why Plaintiff was limited to moderate stress despite the fact that Dr. Carter explained that excess stress could trigger Plaintiff's migraines. (Dkt. No. 19 at 20-21). In sum, the Magistrate Judge found the ALJ's "flawed and incomplete reasoning" made meaningful judicial review impossible because there was no

“logical bridge” between the record evidence and the ALJ’s rejection of the opinions of Dr. Carter. (*Id.* at 21-22). The Acting Commissioner has advised the Court she did not intend to file objections to the R & R. (Dkt. No. 20).

The Court has reviewed the R & R and the record evidence and finds that the Magistrate Judge has ably addressed the factual and legal issues in this matter. Therefore, the Court **ADOPTS** the Report and Recommendation as the order of this Court, **REVERSES** the decision of the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g), and **REMANDS** the matter to the Commissioner for further proceedings consistent with this order.

AND IT IS SO ORDERED.

S/ Richard Mark Gergel
Richard Mark Gergel
United States District Judge

Charleston, South Carolina
October 27, 2021